



Town Administrator's Office

343 Highland Road, Tiverton, Rhode Island 02878 (401) 625-6710

Memorandum

Date: February 4, 2016

To: LUPI Committee

From: Matt Wojcik

RE: December 17, 2015 Meeting Minutes

The December meeting of the Land Use Procedure Improvement (LUPI) ad hoc committee was called to order at 6:40 PM on Thursday, December 17, 2015 in the Tiverton Town Hall Town Council chamber. A quorum consisting of the Town Administrator (the chair), Code Enforcement Official Neil Hall, Planner Marc Rousseau, Planning Board Member Stuart Hardy, and Councilman Brett Pelletier were noted as present.

Motion was made to approve the minutes of the prior meeting held September 17, 2015 and seconded by Mr. Hall. All were in favor (Brett Pelletier abstained.)

Next item on agenda was **"Discussion: Process for addressing complaints of improperly stored or conveyed solid waste"**.

Neil said we don't address it unless it is in writing. Neil gets 3 or 4 complaints a day. He proposed a confidential complaint form to be put on website. 70% of Neil's day is spent on zoning issues.

We need to check with Solicitor if the form would be acceptable as far as "confidential" goes. We want to make it anonymous.

Discussion occurred regarding making it public record; maybe Conservation Commission could file a complaint; maybe we could have an Amnesty policy; role of the Police Dept; determine if it is a Building Code Issue; if it is a Zoning Code Issue...

Brett said Town should be sensitive to the building code violation even if the complainant can't identify the specific code violation.

Neil will come up with a sample Complaint form for next meeting.

Matt wants to keep TPD involved in some of this.

Next item on agenda was **"Discussion: Requirements for plan submission for building permits/website instructions"**.

The site plans and drawings that Neil receives from Contractors are very inadequate alot of times. Neil can't believe the Town has approved some of the plans that have been submitted. Neil has come up with a few things that contractors need to provide. Neil presented a couple of sample notices of necessary information for the drawings that should be submitted to the Building Department (information needed is based on State Law).

Neil will have a Check List for commercial buildings and residential for new construction and additions.

There will be a route sheet for signatures. It will be a "checks and balances".

Let Neil know if he missed any departments, etc., that should be on route sheet.

Neil won't do a plan review until this comes back to Neil completed. He doesn't want any plans until the Fire Department has stamped/signed off on them. Neil will then start the plan review – not before.

As suggested, on site plan requirements form, Neil will add "location of well"; "building envelope".

Discussion continued regarding possibly a separate Watershed Application; possibly having 2 forms, one for 'in' Watershed District and 'not in' Watershed District; being in a flood zone, Soil Erosion Control Plan...

Neil wants to do something for decks, swimming pools and sheds also – such as what is required for each.

Neil stated he is aware that Contractors in the field are unhappy with the service in the Building Official's Office. It is frustrating.

Brett stated these new policies, etc., are really good. These are designed for high quality projects/process and will alleviate some of the liabilities of the Town.

It is also legal for a town in RI to come up with a list of Civil Engineers that are acceptable.

Matt said we put 2 road pavers on a "do not use" list.

Discussed the lot in Bulgarmarsh Road development that a house is on and is not recorded as required by Section 23-52 of the Tiverton Subdivision Regulations. Had questions for the attorney. Neil said Developer only asked for one permit for one lot. Stu Hardy said Developer stated (very briefly) at last Planning Board meeting that it was a model house. Stu said the attorneys were present at that meeting and said it was fine. Neil thinks it is approved but not recorded.

Planning Board Chairman Hardy asked that we keep the water issues on the discussions document.

Stu Hardy wanted to ask when we have a major subdivision before Planning Bd, we require an independent traffic study and fiscal impact study at the expense of developer. Can we require a water study that would not only look at how the water works in that development but also how it impacts the entire system? Answer was "yes".

Stu asked how we deal with the time clock when we bring someone in "paid for by the petitioner" and that consultant needs to put together alot of info and doesn't get full cooperation from the water district. The timeclock is running ... if the petitioner doesn't voluntarily extend the time clock, how do we handle it?

How do we buy the time?

Matt says first there is the conceptual plan. Do it before the master plan or explicitly add it to the preliminary plan.

Town could seek a writ of mandamus compelling the Water District to do their work.

However, then we have reliability issues of that information.

Stu's preference is that if they have a really big project that expands the water district by 15%, it makes sense to insist on conceptual plan that deals with the utility and safety issues. Matt said he thinks you have the legal authority but you should check with Solicitor.

It is concerning that Tiverton Water Authorities are not concerned about much of what we need to accomplish.

Concerns about Water Audit Report.

Keep this on the agenda so we don't forget about it.

At 8:43 PM Matt Wojcik moved to adjournment, seconded by the Neil Hall, unanimous.